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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,110	12/06/2001	Kazunori Suzuki	461-36	5207

7590 12/04/2002  
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EXAMINER

JUBA JR, JOHN

ART UNIT	PAPER NUMBER
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2872

DATE MAILED: 12/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/003,110

Applicant(s)

SUZUKI ET AL.

Examiner

John Juba

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 2, 5-8, 11-16, and 18 is/are rejected.
- 7) ☒ Claim(s) 3, 4, 9, 10, 17 and 19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.

- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

***Claim Rejections - 35 USC § 112***

Claims 12 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 12 is indefinite as to the types of starch sugars. It is not clear what starch sugars would be sufficiently similar to be included among the list of examples.

Claim 18 is indefinite as to the types of alcohols. Since the examples have different boiling points, the threshold boiling point by which an alcohol would be included in the list is ambiguous.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 5, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hattori, et al (U.S. Patent number 6,111,670). Referring to Figures 8 – 13, and the associated text, Hattori, et al disclose a hologram having the recited function, the

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hologram sandwiched between first and second transparent members, wherein at least one transparent member (e.g., 76) is replaceable [e.g., by a further member, 79].

With regard to claim 5, transparent members (73)(79) joined to each other by adhesive are illustrated in Figure 12. Since a hot melt adhesive is used, at least one of the members is "made replaceable". The result of such operation is immaterial, since the claim only requires that it be possible to remove one member and replace it with something.

Claims 1, 7, 8, 11, and 13 - 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Nakashima, et al (U.S. Patent number 6,141,123). Referring *for example* to the fourth embodiment (Col. 17) and Figure 12D, Nakashima, et al disclose a hologram film (201) having the recited function, the hologram sandwiched between first (211) and second (215) transparent members, wherein the second transparent member is replaceable [e.g., by a transparent glass substrate].

With regard to claim 11, the examiner believes that at least one of the disclosed "silicon-based, olefin-based, and fluorine-based" release agents would have been present in the form of colloidal particles in a shape fairly comprehending spheres or "scales".

With particular regard to claims, 13 - 16, the method by which the release agent was applied does not impart any recognizable structural characteristic to the claimed article. That is, once the suspension has dried, only the release agent remains. Nakashima, et al disclose the positively recited structure with the release agent in place.

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Claims 1 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Kato, et al. Referring to Figure 18 and the associated text, Kato, et al disclose a hologram film having the recited function and clamped between two transparent members. The examiner believes the two components (20) and (20') to fairly comprehend "clips" within the specificity recited. The recitation of one of the transparent members as being "replaceable" is not seen as imparting any positive structural limitation to the transparent member beyond that which is disclosed by Kato, et al.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kato, et al, in view of Official notice. As set forth above for claim 1, Kato, et al disclose the invention substantially as claimed, including means to secure the transparent members together. However, Kato, et al do not disclose the use of screws.

The examiner takes Official notice of the fact that screws were well-known fastening means to secure two members together. Screws were known to offer the advantage of permitting members to be joined without the need for close tolerances associated with an interference fit.

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It would have been obvious to one of ordinary skill to employ screws to join members (20) and (20'), in the interest of permitting the members to be held together, without the need for an interference fit, as was well-known.

***Allowable Subject Matter***

Claims 3, 4, 9, 10, and 17 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 12 and 18 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, second paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art, taken alone or in combination, fails to teach or to fairly suggest, *in combination*,

the provision of holes through the transparent members, as recited in claims 3 and 4;

the particular arrangement of a PET layer, hard coat, and anti-sticking agent with respect to the first and second transparent members, recited in claim 9;

the particular composition of anti-sticking agent recited in claim 12;

a sealant interposed to prevent partial sticking between the hologram film and the first transparent member and between the hologram film and the second transparent member, as recited in claim 17;

the first and second transparent members peripherally adhered to each other by an adhesive provided by via a release agent uniformly coated on the front and back surfaces of the hologram film, as recited in claim 19.

### **Conclusion**

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hegel discloses a hologram between transparent members.

Town discloses a hologram mounted between transparent members.

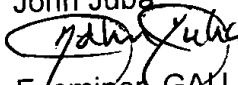
Kirk discloses an arrangement of protective plates in a projection screen.

Okuyama, et al disclose a holographic screen between two transparent members.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Juba whose telephone number is (703) 308-4812. The examiner can normally be reached on Mon.-Fri. 9 - 5.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

John Juba  
  
Examiner, GAU 2872

November 27, 2002